

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

CESAR MANUEL SERRANO-NIETO

Case No. 2:22-mj-526

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 21, 2022 in the county of Franklin in the Southern District of Ohio, the defendant(s) violated:

Code Section

8 U.S.C. § 1326

Offense Description

Any alien who had been previously denied admission, excluded, deported, or removed from the United States and had illegally reentered the United States without the permission of the Attorney General or his successor, the Secretary for the Department of Homeland Security.

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

ROBERT KUKOV Digitally signed by ROBERT KUKOV  
Date: 2022.08.01 11:46:18 -04'00'

Complainant's signature

Robert Kukovec, Special Agent (HSI)

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by  
Telephone/FaceTime (specify reliable electronic means).

Date: August 1, 2022

City and state: Columbus, Ohio

Elizabeth A. Preston Deavers  
United States Magistrate Judge

**AFFIDAVIT IN SUPPORT OF ARREST WARRANT**

I, **Robert Kukovec**, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent with the United States Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations (HSI). I have been employed as a Special Agent since April 2002, and I am currently assigned to the HSI office in Columbus, Ohio. I am a “federal law enforcement officer” within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws and duly authorized by the Attorney General to request a search warrant. I am currently assigned to a multi-jurisdictional narcotics task force in the central Ohio area, and I am cross designated to investigate violations of Title 21 of the United States Code. Prior to my employment with HSI (and formerly U.S. Customs), I was employed as a police officer in the state of Ohio for approximately 8.5 years. My responsibilities and duties include the investigation and enforcement of federal laws and regulations related to customs and immigration violations, including but not limited to narcotics, financial crimes, fraud, and violations of the Immigration and Nationality Act.

2. The information set forth in this affidavit is based upon my knowledge, training, experience, and participation in investigations involving the smuggling, possession, distribution, and storage of narcotics and narcotics proceeds, as well as investigations involving the violations of the Immigration and Nationality Act. This information is also based on the knowledge, training, experience, and investigations conducted by fellow law enforcement officers, which have been reported to me either directly or indirectly. I believe this information to be true and reliable. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant

and does not set forth all of my knowledge about this matter. Your affiant did not withhold any information or evidence that would negate probable cause. I know it is a violation of 8 U.S.C. § 1326(a) for an alien who has been denied admission, excluded, deported, or removed from the United States to have illegally reentered, or is at any time found in, the United States without the permission of the Attorney General or his successor, the Secretary for the Department of Homeland Security.

**PROBABLE CAUSE**

3. On July 21, 2022, investigators executed a search warrant at 2386 Arborview Drive in Columbus, Ohio issued through the Franklin County Municipal Court in Columbus, Ohio as part of an investigation into a drug trafficking organization. The search warrant resulted in the discovery of a large quantity of suspected pressed fentanyl pills, fentanyl powder, methamphetamine, cocaine, marijuana, \$4,146 in cash, numerous cellular phones, two digital video recorder hard drives from a surveillance system, and some miscellaneous documents. Cesar Manuel SERRANO-NIETO was one of the occupants encountered inside the residence during the execution of the search warrant. Preliminary record checks indicated SERRANO-NIETO was a Mexican national illegally present in the United States who was previously deported. SERRANO-NIETO was administratively arrested by HSI Columbus on immigration charges.

4. A review of immigration records related to SERRANO-NIETO indicated he was encountered and arrested by Border Patrol on April 30, 2021, near Why, Arizona for illegally entering the United States from Mexico. SERRANO-NIETO was processed for removal and an expedited order of removal was issued by immigration authorities on May 7, 2021. SERRANO-NIETO was subsequently removed from the United States by immigration authorities on May 8, 2021, through the Nogales, Arizona port of entry.

**CONCLUSION**


5. Based on the facts set forth in this Affidavit, there is probable cause to believe that beginning on an exact date unknown but at least July 21, 2022, in the Southern District of Ohio and elsewhere, **Cesar Manuel SERRANO-NIETO**, was an alien who had been previously denied admission, excluded, deported, or removed from the United States and had illegally reentered the United States without the permission of the Attorney General or his successor, the Secretary for the Department of Homeland Security, in violation of 8 U.S.C. § 1326(a).

**ROBERT KUKOV**

Digitally signed by ROBERT  
KUKOVEC  
Date: 2022.08.01 11:47:26 -04'

Robert Kukovec  
Special Agent  
Homeland Security Investigations

Subscribed and sworn to before me on this 1st day of August, 2022

  
Elizabeth A. Preston Deavers  
United States Magistrate Judge

